

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DEMEZZ HAMILTON,

Plaintiff,

-against-

ELRAC, LLC and JESSICA SIROW,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 08/16/2023

22-CV-10860 (PGG) (BCM)

**ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

On August 11, 2023, plaintiff filed a "Motion for Permission to Re-Submit Amended Complaint" (Dkt. 34), seeking leave to re-submit his second "Amended Complaint" pursuant to Rule 15(a). Today, defendants informed the Court that they consent to plaintiff's filing the proposed second amended complaint, as of August 11, 2023. (Dkt. 35.)

The Court GRANTS defendants' request. The pleading at Dkt. 32 is accepted as the operative pleading in this action, is designated the Second Amended Complaint, and is deemed filed as of August 11, 2023. Defendants shall respond to the Second Amended Complaint no later than **August 25, 2023**.

This Order resolves the motions at Dkts. 34-35.

Dated: New York, New York  
August 16, 2023

**SO ORDERED.**



**BARBARA MOSES**  
**United States Magistrate Judge**